IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

IITED STATES OF AMERICA)))
Plaintiff,) 8:09CR317)
vs.) DETENTION ORDER
AN PEREZ,	
Defendant.	}
Order For Detention After waiving a detention hearing pursuant Act on September 1, 2009, the Court order pursuant to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reformers the above-named defendant detained
conditions will reasonably assure the	n because it finds: ence that no condition or combination of e appearance of the defendant as required. at no condition or combination of conditions
distribute heroin (Count possession with intent to U.S.C. § 841(a)(1) each imprisonment and a max (b) The offense is a crime of (c) The offense involves a n	and includes the following: e offense charged: y to distribute and possess with intent to l) in violation of 21 U.S.C. § 846 and the distribute heroin (Count II) in violation of 21 carry a minimum sentence of ten years timum of life imprisonment.
may affect wheth X The defendant h ities. Past conduct of The defendant h The defendant h The defendant h The defendant h Court proceeding (b) At the time of the current	appears to have a mental condition which ther the defendant will appear. The same sharp of a mental condition which there the defendant will appear. The same sharp of a mental time area. The same sharp of a mental financial resources. The same sharp of the community of the defendant: The defendant of the community of the defendant: The defendant of the same sharp of the community of the defendant: The defendant of the same sharp of the s
	Plaintiff, vs. Defendant. Order For Detention After waiving a detention hearing pursuant Act on September 1, 2009, the Court orde pursuant to 18 U.S.C. § 3142(e) and (i). Statement Of Reasons For The Detention The Court orders the defendant's detentior X By a preponderance of the evidenconditions will reasonably assure the will reasonably assure the safety of Will reasonabl

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(c)	Parole Release pending trial, sentence, appeal or completion of sentence. Other Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
	ature and seriousness of the danger posed by the defendant's e are as follows: The nature of the charges in the Indictment.
In dete on the which X (a)	ermining that the defendant should be detained, the Court also relied following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
X (b)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives
Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: September 1, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge